

Community Library and Festus City Library from further blocking of the website of the Council of Conservative Citizens, for its costs in this matter, and for attorneys' fees pursuant to 42 U.S.C., § 1988.

COUNT III – PERMANENT INJUNCTION

COME NOW Plaintiffs, Gordon Lee Baum and Council of Conservative Citizens, and for Count III of their cause of action, state to the Court as follows:


1. Both Gordon Lee Baum and the Council of Conservative Citizens have suffered and will continue to suffer immediate, and irreparable harm by the continued denial of their rights under the First and Fourteenth Amendments to the United States Constitution.
2. Governmental censorship of the Council of Conservative Citizens' speech on the basis of its content and viewpoint is well-established as a violation of the First and Fourteenth Amendments to the United States Constitution, and therefore Plaintiffs are likely to prevail on the merits of this matter.
3. Plaintiff's have no adequate remedy at law with which to correct the deprivation of their Constitutional rights pursuant to the First and Fourteenth Amendments to the United States Constitution.

WHEREFORE, Plaintiffs, Gordon Lee Baum and Council of Conservative Citizens, pray this Court issue a permanent injunction immediately enjoining Maplewood City Library, City of University City Public Library, Valley Park Community Library and

Festus City Library from further blocking of the website of the Council of Conservative Citizens, for its costs in this matter, and for attorneys' fees pursuant to 42 U.S.C., § 1988.

Respectfully submitted,

SCHWARTZ, HERMAN & DAVIDSON

By: 
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*Attorney for Plaintiffs, Gordon Lee Baum
and Council of Conservative Citizens*



The No Longer Silent Majority • A national organization

National Office: P.O. Box 221683 • St. Louis, Missouri 63122-0683

Telephone (636) 940-8474 • FAX (636) 916-4822

Regional Office: P.O. Box 1204 • Greenwood, Mississippi 38935

Telephone: (662) 237-4358

Website: www.cofcc.org

May 26, 2005

Mr. Terrence Donnelly, Director
Maplewood City Library
7601 Manchester Rd.
Maplewood, MO 63143

Dear Mr. Donnelly:

It has come to our attention that your library's computers for use of your patrons has blocked access to our Council of Conservative Citizens website (www.cofcc.org).

The CofCC's website does not have any sexually explicit or pornographic content.

We request that the block be removed and adult patrons be allowed to freely access it.

We also request that you provide us with a written response as soon as possible.

Sincerely,

Gordon Lee Baum
C.E.O.

GLB:lg

Plaintiff's
Exhibit 1



Maplewood Public Library

7601 Manchester Avenue
Maplewood, Missouri 63144
(314) 781-2174


Gordon Lee Baum
P.O. Box 221683
St. Louis, MO 63122-0683

Dear Mr. Baum;

In reply to your letter of June 1, 2005 regarding the blocking of your website www.cofcc.org by the Maplewood Public Library's public access computers: in compliance with the Federal Children's Internet Protection Act (CIPA), it is the policy of the Library to place a filter on all public access computers; however, the Act only applies to children, and we will disable the filter for any adult who requests it. They do not have to give us a reason for the request. This is clearly stated on the signage by each public access computer. Because of this, it is not our practice to make exceptions for individual websites.

Incidentally, your site is not blocked due to sexually explicit or pornographic content. We use the services of a third-party filter, Secure Computing, and the product we use is Bess/N2H2. They have tagged your site with the categories of Hate and Discrimination, which categories we also block from our child patrons. I suggest you contact the company if you feel this categorization of your site is in error.

Yours truly,


Terrence Donnelly
Director

Plaintiff's
Exhibit 2



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November 13, 2005

Director
University City Public Library
6701 Delmar Blvd.
University City, MO 63130

Dear Director:

It has come to our attention that your library's computers for use of your patrons has blocked access to our Council of Conservative Citizens website (www.cofcc.org).

The CofCC's website does not have any sexually explicit or pornographic content.

We request that the block be removed and adult patrons be allowed to freely access it.

We also request that you provide us with a written response as soon as possible.

Sincerely,

Gordon Lee Baum
C.E.O.

GLB:lg

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November 13, 2005

Director
Valley Park Community Library
320 Benton St.
Valley Park, MO 63088

Dear Director:

It has come to our attention that your library's computers for use of your patrons has blocked access to our Council of Conservative Citizens website (www.cofcc.org).

The CofCC's website does not have any sexually explicit or pornographic content.

We request that the block be removed and adult patrons be allowed to freely access it.

We also request that you provide us with a written response as soon as possible.

Sincerely,

Gordon Lee Baum
C.E.O.

GLB:lg

**Plaintiff's
Exhibit 4**



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Website: www.cofcc.org

July 13, 2005

Ms. Lollie Gray, Director
Festus City Library
222 N. Mill St.
Festus, MO 63028

Dear Ms. Gray:

It has come to our attention that your library's computers for use of your patrons has blocked access to our Council of Conservative Citizens website (www.cofcc.org).

The CofCC's website does not have any sexually explicit or pornographic content.

We request that the block be removed and adult patrons be allowed to freely access it.

We also request that you provide us with a written response as soon as possible.

Sincerely,

Gordon Lee Baum
C.E.O.

GLB:lg

Plaintiff's
Exhibit 5